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Turner Sentenced To Gaol For "Unlawful Killing"

Aged Briton Set Up "Booby-Trap" To Frighten Away Thieves, But Gardener Unwittingly Became Victim; Guilty Plea Entered

Robert Charles Turner, 67-year-old former Chief Architect of the S.M.C., was sentenced to serve four months in prison when he faced the British Supreme Court yesterday morning. Turner pleaded guilty on two charges involving the unlawful killing of his gardener, who became the unwitting victim to an ingenious device rigged up by the accused to trap the many pilfering marauders who had been stealing garden implements from him and also other articles.

In delivering sentence, Judge P. Grant Jones stated that, despite the age of the accused, the esteem in which he was held by the local community and his immediate steps to provide for the bereft family of the victim, he, the Judge, could not escape the fact that Turner had caused the death of a human being and that he would sentence him to the short confinement of four months in prison. It was not disclosed where the convicted man was to serve his term.

The group of gentlemen chosen to constitute a jury appeared in court, but upon the accused pleading guilty to the charges formulated against him, the Judge found no necessity of retaining the would-be jurors.

Appeal For Leniency

Mr. J. R. Jones, attorney for the defence, made a long appeal to the court for leniency on behalf of his client and, in an attempt to mitigate the offence committed, Mr. Jones said that the accused did not seek to justify his actions, but was facing the lamentable incident with the deepest regret and contrition. Mr. Jones said that the prisoner was 67 years of age, of irreproachable character and held a high position in the city and is greatly esteemed by his associates. He pursued gardening, was a lover of music and, subsequent to the accident when the 22 rifle shot hit the gardener in the abdomen, had been overwrought with anxiety. Counsel asked whether this was the "stuff" a criminal is made of.

Counsel continued to relate that his client had for years suffered the hordes of thieves whose pil-

fering from his most cherished possessions became crucial and with application to the police for assistance having had no effect. Turner was driven to despair and, under such circumstances, it was understandable that he should take steps to protect his realm.

Turner was ignorant of the law of 1861, which decreed that it was an offence to set up a trap with the intention of inflicting bodily harm to those who ventured near it, and Mr. Jones further claimed that the trap was set to frighten away the thieves with its explosion and that the smallest calibre rifle was employed.

Previous Evidence

Previous evidence produced in court disclosed that early on the morning of May 18, a Sunday, Kau Kwang-Isoung, one of the garden coolies, had dragged a lawn mower along the concrete path and up the steps leading to the outhouse, where was set the "booby-trap," and soon touched it off—himself falling the target of the rifle. The houseboy heard the report of the gun and, finding the gardener gravely wounded and later, on the instructions of his master, conveyed the unfortunate man to the Paulun Hospital.

The man was wounded in the arm and stomach and succumbed to his injuries at 8.15 a.m. on May 23 after having been operated on and contracting pneumonia and peritonitis. Mr. Jones alleged that there was a possibility that, because the doctors had found the operation on the deceased a successful one at first, and that death might have resulted from some crisis which came at 1 o'clock on the morning of the 23rd—a crisis which supervened to accelerate and perhaps cause the patient's death, for the patient was found pacing the room two days after the major operation, the accused might not be solely to blame.

In conclusion, counsel commented that the prisoner was well on in years and had undergone the agony of suspense in waiting for conviction and appealed to the Judge not to take away his last days of living, saying that the law provided other means of punishment than imprisonment.